

Chairman Martin:

My name is Josiah Berry, and I am a law student at Indiana University - Robert H. McKinney School of Law. I am writing to comment on the proposed framework for reform to establish just and reasonable rates for local exchange carriers. As a student, affordable and reliable internet is a must to stay productive with the evolving trends of not only online research tools, but social media interactions between potential employers as well as classmates. Mastery of these is a critical portion of a developing law career and denial of basic access to the technology requisite would lead to a handicap of students not fortunate to live in an area with such access. Having lived in a mostly rural state my entire life, I can attest to the difficulties of finding affordable, reliable broadband as most areas are reliant on one sole provider, if they even have the access in the first place. It is crucial that broadband be expanded to these areas to provide equal ground for all students to develop the skills previously mentioned.

I would like to take the time to address the four core principles that the Federal Communications Commission has laid out as the purpose for the reform. These four principles are modernizing and refocusing the Universal Service Fund and Intercarrier Compensation system to ensure robust, affordable broadband access to all Americans, fiscal responsibility, accountability and use of market-driven and incentive-based policies to bring about this reform. All of these principles are important in achieving the admirable goal of providing broadband access to all corners of the United States. The goal of modernizing and refocusing the USF and ICC to ensure robust, affordable broadband should be the forefront goal of the FCC. Broadband access provides regions not only economic benefits, but a vast variety of education benefits. As documented in the 2009 documents released by the FCC's task force, 70% of young adults report that the Internet is their primary source for school projects. Furthermore, 65% used the Internet to complete homework. More and more teachers are assigning homework that requires Internet use and more than 50% of American schools are moving to adopt readily updatable e-textbooks in the next five years. Without robust and affordable broadband, the growing trends of the education industry will only alienate struggling students further and widen the education gap. By extending broadband's reach around the United States, the FCC will provide all students equal access to the important educational tools necessary to perform to a student's best ability. Many educational resources utilize high-end technology that requires high speed bandwidth to achieve the full benefits. Currently the lack of affordable broadband not only denies students in certain areas the ability to utilize these resources to their fullest ability, but certain income classes of students who have no means of providing for themselves such access. The FCC should strive to provide all students with equal access to broadband to ensure that the education system is fair to all classes.

Broadband access has a growing purpose in the law field as well. In recent years, there has been a growing movement to abandon the hard copy recording systems and replace them with online databases such as LexisAdvance and Westlaw Next. A growing number of law students report that they use these two resources for the majority of their research. Furthermore, companies such as BarBri and Kaplan are abandoning costly in-person seminars for bar exam prep with less expensive

online courses that allow students to mold their study schedule to their individual needs rather than those of their fellow students. The advances of social media and web conferencing have led to tremendous reductions in travel expenses to students as well as in their respective job searches. More and more, companies are utilizing online social networks to scope candidates for employment. Furthermore, many companies are using the advances in web camera technology in part to the dawn of broadband internet speeds to host more student friendly web interviews than on-site interviews that bear the burden of travel and lodging expenses. As these trends continue to grow, so does the need for broadband access in rural areas. In Indiana alone, two of the four major law schools in the state are situated in rural areas with only one major provider of broadband internet. As a student of one of these schools prior to transferring, I can attest that getting broadband access was not only expensive, but unreliable due to server overloads and poor infrastructure. This unreliable broadband made it not only difficult to complete assignments and research, but hampered career searches and studying sessions for many students in the area.

Finally, the expansion of broadband would have a tremendous effect on the courtroom. In the recent trial of George Zimmerman, the prosecution was able to utilize the program Skype to contact an expert witness for testimony. By being able to utilize this technology, only possible through broadband internet, the prosecution was able to save thousands of dollars that would have normally been spent on the necessary travelling and lodging costs. The justice system stands to significantly reduce costs through the utilization of affordable broadband. Expert testimony and discovery are the leading costs in trials, costs which could be significantly reduced if attorneys could rely on broadband technology to bring the courtroom to the witnesses.

In regard to fiscal responsibility, the dividends from the economic benefits of increased broadband presence in the United States would far outweigh the investment cost by the FCC. Similar to the judicial system, the corporate world has much to gain from broadband improvement nationwide. Rather than spend countless funds on face-to-face meetings and interviews, companies could elect to stream their meetings across the country, reducing travel costs. In any economy, the more efficient your company is, the more gains there are to be made. Broadband connections speed up business decisions by removing the time barriers formerly required from waiting for correspondence from one business head to the next. Furthermore, the widening of the broadband network would allow for smaller towns and cities to compete on a higher level to attract companies. With broadband connection and ample land space, these small towns could entice big business, which would create thousands of jobs nationwide. For these reasons, it is fiscally responsible for the FCC to invest in expanding the framework of the broadband network.

For all the good that expanding the broadband network stands to achieve to come to fruition, the FCC must be willing to hold broadband providers accountable if they wish to accomplish their goals. The Obama administration has made great strides in providing subsidies to private companies to expand the broadband network. However, progress has been slow and not much detailed information on how these subsidies have been used to the overall goal has been released. If the FCC is to accomplish their goal, close scrutiny of broadband providers must be present to ensure the proper allocation of

funds. The FCC must set measurable, concrete goals for each company upon which the subsidies are conditioned. Without such concrete goals, I fear companies will move slowly to accomplish them and ultimately the project will fail. Such accountability has worked for European countries , whose broadband networks exceed the United Statesâ€™ network.

Of course, for such accountability to be effective, the FCC must provide necessary incentives to entice broadband companies. As I mentioned in the previously, subsidies have been used in the past to attempt to garner interest in expanding the network. This has also not worked as well as expected and many areas of the country are still lagging behind when it comes to broadband access. Subsidies only cover the short term aspirations of the FCC. There is no long term incentive to keep companies invested in the operations of broadband networks. Often, the areas without broadband connection have small populations, and thus a small customer base. Operating such a large network would cost broadband companies a very large sum of money they may not be able to recoup. Companies would argue that exclusive rights to the area would ensure that their profits could be met; however this would only serve to drive up broadband prices by restricting competition. Instead, the FCC would be better served in offering first come licenses at a discounted rate coupled with discounted renewal rates. This would entice broadband companies to race to areas without broadband connection in order to take advantage of these benefits. The discounted rate coupled with the subsidies already provided would create a system that entices more companies to take an active role in establishing new broadband connections around the nation.

In conclusion, the goal of the FCC to expand broadband access to all areas of the United States is an amiable one that should be afforded every opportunity to succeed. Students, both in law school and regular education, will be afforded a better education experience and smoother career transition phrase through the technological advances broadband brings. Furthermore, the judicial system stands to benefit greatly through cost-saving broadband technology. Of course, the FCC must be willing to provide adequate incentives to entice the private market to participate, while at the same time, holding these companies accountable to accomplishing the mission. If successful, the broadband network expansion will not only improve the education experience but provide ample jobs and economic stimulus. For these reasons, the FCC should take every possible step to ensure broadband reaches all viable areas of the United States.

Respectfully Submitted,

Josiah Berry

J.D. Candidate â€” Indiana University - Robert H. McKinney School of Law